

GUIDANCE ON PUBLIC RECORD REQUESTS

Idaho State Department of Education

September, 2014

Idaho Public Records Law: Idaho Code § 9-337 through 9-350

What is a public records request?

A public record includes, but is not limited to, any writing containing information relating to the conduct or administration of the public's business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics. Idaho Code defines "writing" as information maintained in many forms, including typewritten or hand written documents as well as pictures, maps, tapes, magnetic or punched cards, and computer discs. Here are some common examples:

- Excel spreadsheet
- E-mail
- Letter or Memo
- Handwritten notes

Is there a timeline for responding to public records requests?

Yes. Pursuant to Idaho Code § 9-339, the State Department of Education has three (3) business days to respond to a public records request. The SDE can ask for an extension of up to ten (10) total business days if more time is needed to locate or retrieve the public records. Certain productions may exceed the ten (10) days due to the actual request. Requestor will be communicated with regarding any necessary extensions beyond the ten (10) days. All requests that may exceed the ten (10) days, will be reviewed by the Deputy Attorney General assigned to the Idaho Department of Education.

The process to follow for public records requests:

Send all public record requests to FOIArequests@sde.idaho.gov

- If it comes in the form of an e-mail or letter, please forward to FOIArequests@sde.idaho.gov or Chief of Staff Administrative Assistant
- If an individual calls to make a verbal request for information, please ask them to put this request in writing (letter or e-mail) and send the request to FOIArequests@sde.idaho.gov or Chief of Staff Assistant at State Department of Education – 650 W State Street, Boise, ID 83720-0027 directly. Please ask the individual to include his/her name and mailing address in the request.

Why do public records request have to be routed through the Public Information Office? Public records requests can be made to any person in the agency. The SDE has designated the Chief of Staff as the custodian of the SDE's public records. The custodian ensures the following:

- The agency responds to the public records request in the amount of time required by law as set forth in the Idaho Public Records Act
- The agency responds to the individual with all public records that are responsive to the request within the limits of the Idaho Public Records Act
- The agency exempts from disclosure any information that falls within one of the exemptions outlined in the Idaho Public Records Act.

Public record requests format

The Idaho State Department of Education (SDE) does not guarantee access to the documents in a specific format. The format will be determined based on the production or review of records in a specific format that may interfere with or jeopardize the condition of the records such as changes through sorting or filtering function. It shall be determined by the SDE the appropriate format for the records to be produced and shared with requestor protecting data integrity..

Please note that, by law, the SDE cannot ask an individual the reason they are requesting information.